

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department - Telangana State - Bhadravadi Kothagudem District - Issue of Local ST Agency Area Certificates under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department - Cancellation of Local ST Agency Area Certificate by the Collector & District Magistrate, Bhadravadi Kothagudem vide Rc.No.D3/1093/2021, dated: 24.04.2021 - Appeal filed by Keloth Krishna Kumari D/o Bhagya Raju R/o: H.No.22-5-209, Jayamma colony, Palvoncha, Bhadravadi Kothagudem District - Appeal Allowed - Orders - Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.10

Dated:26.02.2022
Read the following:-

1. G.O.Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Rc.No.D3/1093/2021, dated: 24.04.2021 of the Collector & District Magistrate, Bhadravadi Kothagudem District.
3. Appeal petition filed by Keloth Krishna Kumari D/o Bhagya Raju, R/o: H.No. 22-5-209, Jayamma colony, Palvoncha, Bhadravadi Kothagudem District, dated 25.5.2021, through the Endt.No.1863/M /(STW, W&CW), dated: 30.05.2021.
4. Govt. Memo No.680/TW.LTR/2021, Dated 20.07.2021.
5. Lr.Rc.No.A1/DD(TW)/340/2021, Dated 06.08.2021 received from PO,ITDA, Bhadrachalam and Chairman DLSC.
6. Govt. Notice No.680/TW.LTR/2021, Dated 23.08.2021.

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the Collector & District Magistrate, Bhadravadi Kothagudem District issued orders in the reference 2nd read above, has rejected the claim of Keloth Krishna Kumari D/o Bhagya Raju, R/o H.No.22-5-209, Jayamma Colony, Palvoncha Mandal, Bhadravadi Kothagudem District and cancelling the ST Local Agency Certificate bearing No.C/396/2018, dated 19.05.2018 issued to her by the Tahsildar, Palvancha - gist of which is as follows:

- District Educational Officer, Khammam his Lr.Rc.No.3230/A5/TRT-17/2017, dt.14.11.2019 has communicated the list of (41) candidates (with note orders of the District Collector, Khammam) who are provisionally selected as TRT SGT (EM) and requested the Project Officer, ITDA, Bhadrachalam to verify the LSTs as per G.O.Ms.No.24, dated.12.06.2018.
- In Lr.Rc.No.A1/DD(TW)/1704/2019, dt.04.03.2021, the Project Officer, ITDA Bhadrachalam and Chairman DLSC has reported that Agency Area Certificates have been verified by the Committee (DLSC) in the light of G.O.Ms.No.24, dated.12.06.2018.
- Out of (41) candidates, (37) candidates LSTs have been accepted and (4) candidates have been rejected, of which (3) candidates belong to Bhadravadi Kothagudem District.
- Link documents are not submitted for verification in DLSC to prove continuous residence in scheduled area since 26.1.1950.

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- DLSC has verified LST File of candidate and found that the documents are tampered and clearly shows to obtain LST by misguiding the authorities. Hence, not recommended.
- As per guidelines issued in G.O.Ms.No.24, TW (LTR.1) Department dated 12.06.2018, the following documents are prescribed for consideration as evidence.
 - a) Birth and Death Registers since 26.01.1950.
 - b) Electoral Roll Registers since 26.01.1950.
 - c) Sale Deed Documents for agriculture since 26.01.1950.
 - d) School record.
 - e) Any other acceptable document as evidence.
- According to G.O.Ms.No.3, SW (TW.EDN.II)Department, dated 10.01.2000 "the Local ST candidate means, the candidates belonging to the Scheduled Tribes notified as such under Article 342 of the Constitution of India and the candidates themselves or their parents have been continuously residing in the Scheduled Areas of the Districts in which they were residents till to date since 26.01.1950".
- In the instant case, the applicant has furnished the ST Local Agency Area Certificate while mentioning the residential details since 1956 which itself reflects that they are not residing since 1950.
- Since the applicant failed to produce any evidence to prove the continuous presence of themselves or their parents as stated above, the DLSC opined that the local schedule tribe candidate certificate issued in favour of the applicant is not genuine.
- As per the recommendation of the PO, ITDA, Bhadrachalam & Chairman, DLSC, the ST Local Agency Certificate issued to the Appellant is cancelled duly declaring that she does not belong to local scheduled tribe candidate in terms of GO Ms.No.3, SW (TW.EDN.II) Department, dated 10.01.2000. The Tahsildar concerned is hereby directed to take necessary action and report compliance.
- A notification to this effect shall be published in the District Gazette ordinary.

3. Aggrieved by the above orders of the Collector & District Magistrate, Bhadrabri Kothagudem District, the Appellant Keloth Krishna Kumari D/o Bhagya has submitted a representation dt.22.05.2021 in the reference 3rd read above and stating that the authorities without giving required time rejected her case and prayed to cause further enquiry and do justice.

4. Government after careful examination has admitted the said representation as an Appeal under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department and copy of the appeal was sent to the Collector & District Magistrate, Bhadrabri Kothagudem with a request to submit the connected record along with para-wise remarks in the reference 4th read above.

5. In compliance, in the reference 5th read above, the Project Officer, ITDA, Bhadrachalam & Chairman DLSC has submitted the connected documents of the case along with remarks.

6. In the reference 6th read above, a Notice has been issued to the Appellant to attend for hearing on 28.08.2021 at 2.00 PM before the Government to prove her

claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 28.08.2021 and submitted certain documents in support of her claim that she belongs to the Local ST category of Agency Area in Bhadraburi Kothagudem District (erstwhile Khammam District).

7. On perusal of the record of Project Officer, ITDA Bhadrachalam/Deputy Director(TW) Bhadrachalam and other documents submitted/produced by the Appellant before the DLSC and Government, it is found that the District Collector, Bhadraburi Kothagudem has cancelled the Local ST Certificate of the Appellant on the ground that link documents are not submitted for verification in DLSC for proving her continuous residential proof in the scheduled area since 26.1.1950.

8. In support of her claim that she belongs to the Agency Area Local ST candidature, the Appellant has submitted the following documents:

- i) As per copy of Voter List of 1970 for Burgampahad (ST) Assembly Constituency, name of Keloth Devla S/o Samya R/o Nagaram, Jagannadhapuram (v) was listed at Sl.No.898.
- ii) As per Voter list of 1983 of 275 Burgampahad (ST) Assembly Constituency, name of Keloth Sathru S/o Devla listed at Sl.No.344.
- iii) Copy of Report of Verification Officer i.e. Mandal Revenue Inspector-II of Palvancha Mandal that the ancestors of Appellant lived in Thogugudem village from 1950 to 1990 and from 1990 to till date in Jayamma colony of Palvancha Mandal – hence, recommended for issue of Agency Area Certificate.
- iv) Land Revenue Receipts issued in the name of Keloth Seetaram relating to 1978-79 year and other years.
- v) Rythu Pass Book issued to Keloth Seetaram in 1979-80.
- vi) Family Tree certified by the Girdawar-II, Paloncha – shows Keloth Devla is great grandfather who has four sons namely Chatru, Laskariya, Sukya and Nandya. Laskariya i.e. grandfather of appellant has four children namely 1) Amarchand (son) 2) Seetaram (son) 3) Bhagya (father of appellant) and 4) Rajya. Bhagya i.e. father of appellant has five children i.e. 1) Padma (daughter) 2) Parvathi (daughter) 3) Saraswati (daughter) 4) Srinivas (son) and 5) Krishna Kumari (daughter and appellant herein).
- vii) GP Thogudem Resolution dated 13.8.2021 – wherein it was declared that the ancestors of Keloth Krishnakumari lived in Thogugudem village namely Keloth Sitaram, Keloth Bhagyaraj, Keloth Laskariya, Keloth Chatru, by birth.

9. Government after careful examination of the evidences/facts available on record and resolution of GP Thogudem, Palvancha Mandal, the Appellant Keloth Krishna Kumari D/o Bhagya Raju is believed to be a candidate belonging to the Lambada ST community living in Thogudem, an agency village in Palvancha Mandal of Bhadraburi Kothagudem District.

10. Therefore, the Appeal filed by Keloth Krishna Kumari D/o Bhagya Raju R/o Jayamma Colony, Palvancha Mandal, Bhadraburi Kothagudem District is allowed, setting aside orders of the Collector & District Magistrate, Bhadraburi Kothagudem in Procs.Rc.No.D3/1093/2021, dated 24.04.2021 and declaring the Local ST Certificate bearing No.C/396/2018, dated 19.05.2018 issued by the Tahsildar, Palvancha Mandal is treated as valid.

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11. The Collector and District Magistrate, Bhadravati Kothagudem District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT

To

The Collector and District Magistrate, Bhadravati Kothagudem
District (By RPAD)
Kethu Krishna Kumari D/o Bhagya Raju R/o: H.No.22-5-209,
Jayamma colony, Palvancha, Bhadravati Kothagudem District (By RPAD)

Copy to:

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
The Commissioner & Director of School Education, Hyderabad
(for information & necessary action)
The Project Officer, ITDA & Bhadrachalam, Bhadravati Kothagudem
District (for information & necessary action)
The District Educational Officer, Khammam District
(for information & necessary action)
The District Educational Officer, Bhadravati Kothagudem District
(for information & necessary action)
The Deputy Director (TW), Bhadrachalam, Bhadravati Kothagudem District.
The PS to Hon'ble Minister for ST Welfare for information.
The PS to Secretary (TW)
The PS to Special Secretary (TW)
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER